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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/413,515	10/06/1999	JOHN R. SMITH	YO998-393	2108

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EXAMINER

DO, ANH HONG

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 01/16/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/413,515

Applicant(s)

SMITH ET AL.

Examiner

ANH H DO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12 and 16-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoffert et al. (U.S. Patent No. 6,374,260).

Regarding claim 1, Hoffert ('260) discloses:

- analyzing the content of the multimedia presentation (col. 3, lines 8-9 teaches analyzing the content of the media files and presenting this analyzed content to a user);
- performing transcoding based on said analyzing (col. 11, lines 37-60, teaches a user performing transcoding the original content of the media files, which have been analyzed and presented to the user).

Regarding claims 2, 26 and 28, Hoffert ('260) teaches selecting at least one transcoding alternative and performing transcoding the content according to said at least one transcoding alternative (col. 11, lines 37-60, teaches selecting either transcoding a media file from a format viewable only by Adobe Photoshop to a JPEG file format or from MPEG to Realmedia G2 format; and performing transcoding the content according to said at least one transcoding alternative).

Regarding claim 3, Hoffert ('260) teaches selecting less than all of said content for transcoding (col. 15, lines 41-45, teaches user selecting visual search results, which are less than all of said content) and transcoding less than all of said content (col. 11, lines 37-41, teaches transcoding based on the user's selection).

Regarding claims 4 and 5, Hoffert ('260) teaches separating a multimedia document into individual multimedia object and analyzing each multimedia object individually (col. 3, lines 12-19 teaches separating a multimedia document into individual multimedia object from media files by indexing them, and analyzing each multimedia object individually by examining them).

Regarding claims 6 and 7, Hoffert ('260) teaches identifying relationships between multimedia objects within a multimedia document (Fig. 4C: step 421) and transcoding the related elements/objects as a group (col. 11, lines 37-60).

Regarding claim 8, Hoffert ('260) teaches wherein the multimedia content is a document published on the World-Wide Web (col. 4, lines 45-49).

Regarding claim 9, Hoffert ('260) teaches the multimedia comprises visual content (col. 15, lines 41-48).

Regarding claim 10, Hoffert ('260) teaches the visual content is classified as an image type (col. 15, lines 41-48).

Regarding claim 11, Hoffert ('260) teaches a decision tree for classifying images into image type classes (col. 7, line 67 - col. 8, line 14).

Regarding claim 12, Hoffert ('260) teaches color photos, color graphics, gray graphics, black and white photos, and black and white graphics (col. 13, lines 50-61).

Regarding claim 16, Hoffert ('260) teaches the transcoder adapts the content to display, processing and storage constraints of the client devices (col. 11, lines 49-55).

Regarding claim 17, Hoffert ('260) teaches adapting the content to the bandwidth and connectivity constraints of the network (col. 10, lines 11-16).

Regarding claim 18, Hoffert ('260) teaches the client device is a browser (col. 7, lines 63-66).

Regarding claim 19, Hoffert ('260) teaches the client device is a hand-held computer (Fig. 3: laptop computer 231).

Regarding claim 20, Hoffert ('260) teaches intranet sites which can implicitly be accessed by phone (col. 7, lines 54-57).

Regarding claims 21 and 22, Hoffert ('260) teaches the network connection uses a wireless link to the client device (col. 4, lines 8-12).

Regarding claims 23 and 24, Hoffert ('260) teaches selecting an alternative version of data (col. 11, lines 14-22).

Regarding claim 25, since this system claims corresponds to method claim 1, the discussion of claim 1 applies hereto.

Regarding claim 27, Hoffert ('260) teaches a computer program of instructions (col. 7, lines 63-66) to perform the steps in claim 1 and accordingly the discussion of claim 1 applies hereto.

Regarding claim 29, Hoffert ('260) teaches the content analysis results stored embedded with the multimedia content (col. 5, line 53).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffert et al. (U.S. Patent No. 6,374,260) in view of Hoffert et al. (U.S. Patent No. 5,903,892).

Regarding claim 13, Hoffert ('260) does not teach extracting color and texture features from the images. One skilled in the art would have clearly recognized that Hoffert ('260)'s system displays the previews of the information on the file contents (col. 2, lines 33-36).

Hoffert ('892), in the same field of endeavor, teaches extracting color and texture features from the images (col. 22, lines 30-33), wherein the Hoffert ('892)'s system would create a panoramic preview by extracting all information from the header of the media file (col. 22, lines 27-28). Therefore, it would have been obvious to have the

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Hoffert ('260)'s system extract the color and texture features from the images as taught by the hoffert'892)'s system in order to facilitate the display of previews.

Regarding claims 14 and 15, Hoffert ('892) teaches the image classification is used to select from different methods for compression (col. 22, lines 57-61), size and color reduction (col. 22, lines 49-52), substitution and removal (col. 21, lines 45-49).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH H DO whose telephone number is 703-308-6720. The examiner can normally be reached on 5/4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID K MOORE can be reached on 703-308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

January 12, 2004



ANH HONG DO
PATENT EXAMINER